



Name of Event: _____

Event must be a community-wide event or part of a community-wide event occurring between the hours of 11:00 am to 2:00 am in the Capitol Townsite Historic District of Guthrie. Permit is not subject to private property.

Date(s)/Times of Operation/Sales: _____

The following IS REQUIRED to process your application:

- Site plan:** *Provide a site plan/map showing the proposed area(s) where intoxicating (liquor, wine) or non-intoxicating (beer) beverages are to be served. **Intoxicating beverages may only be served within a restricted area marked with a non-metallic fence or barricade of three feet or taller. All sites must be within the Capitol Townsite Historic District of Guthrie in order for the request to be considered.***
- Proof of Liability Insurance:** *Attach a certificate of liability insurance coverage that includes host liquor liability with limits for personal injury and property damage not less than \$500,000 in bodily injury liability per occurrence and \$500,000 in property damage per occurrence or a combined limit of \$1,000,000 per occurrence. **The City of Guthrie MUST be named as Additional Insured.***
- Proof of Oklahoma ABLE Commission License(s) or Logan County Low-Point Beer Permit(s) from any and all vendors of intoxicating or non-intoxicating beverages:** *By signing, applicant certifies that they have a copy of each license from the Oklahoma ABLE Commission to sell and distribute intoxicating beverages and/or a license from Logan County to sell and distribute low-point beer from each vendor serving the same at the event.*
- Permit fee:** *Submit the applicable fee(s). A fee of \$55.00 is assessed **per event**, and a deposit may be required. Permits are valid only for the event dates and times as listed on this application, and may only be during the hours of 11:00 a.m. to 2:00 a.m. daily.*

By signing, applicant and vendor(s) agree* to abide by all applicable laws and ordinances of the City of Guthrie and to indemnify and hold the City harmless from any and all liability arising out of the use or condition of the premises and/or from beer or liquor sales. Each also agrees to abide by specific conditions placed on the use request as may be set by the City Manager or City Council. *A signature or statement of agreement is required from each vendor. Attach additional pages as necessary.

Signature of Applicant

Date

Signature of Vendor

Date

Signature of Vendor

Date

Ordinance No. 3291 (Special Events Serving Non-intoxicating or Intoxicating Beverages)

An Ordinance amending Chapter Two, Article Three (Beer Gardens) and Chapter Two, Article Five (Special Event Permit) of the Municipal Code of the City of Guthrie, Oklahoma, merging the articles and revising certain sections relating to the municipal protocol for beer gardens and special event permits, as it applies to no-intoxicating and intoxicating beverages. Unless otherwise specifically provided for in this article, this Ordinance provides for severability, repealer and declares an emergency.

Be it ordained by the Mayor and City Council of the City of Guthrie, Oklahoma:

Section 1, Article 3: Special Events Serving Non-intoxicating or Intoxicating Beverages

Sec. 2-100. Permit Required.

No person shall hereafter keep, maintain, conduct or operate any Special Event in the city which distributes Intoxicating or Non-Intoxicating Beverages without first obtaining a permit and paying the fee provided herein. (Ord. 3025, passed 8-19-97; Am. Ord. 3052, passed 8-17-99)

Sec. 2-101. Definitions.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Designated Area. The premises on public property approved by the city for operation of a beer garden.

Historic Preservation District. The Capitol Townsite Historic District as defined in Section Three of the Guthrie Historic Preservation Ordinance (Ord. No. 3075).

Intoxicating Beverages. All beverages containing more than 3.2% alcohol by weight, and mixed alcoholic beverages (example includes wine).

Non-intoxicating Beverages. All beverages containing more than ½ of 1% alcohol by volume and less than 3.2% alcohol by weight (example includes beer).

Person. Any individual, firm, partnership, association or corporation, whether conducted for profit or not for profit.

Special Event Permit. An annual permit allowing a person to sell and distribute Intoxicating beverages (with a valid ABLE Commission License), or to sell and distribute Non-Intoxicating beverages (with a valid County License), within Designated Areas for Intoxicating beverages and Historic Preservation District for Non-intoxicating beverages or within enclosed structures, for occasional and limited duration.

Sec. 2-102. Non-intoxicating and Intoxicating Beverages Permits – Application.

(A) Application for a Special Event Permit where intoxicating and/or non-intoxicating beverages are sold or distributed shall be made to the Office of the City Manager and may be granted upon satisfying the conditions set forth in this article. The application shall contain the following information:

(1) The name, address and telephone number of the applicant; (The applicant shall be the actual person who will operate within the Special Event.)

(2) A site plan showing the proposed designated area for the Special Event; the site plan shall include a statement from the sponsoring organization of the community-wide activity approving the

Ordinance No. 3291 (Special Events Serving Non-intoxicating or Intoxicating Beverages)

proposed location of the Special Event. The sponsoring organization will designate on the site plan the location for multiple vendors, if there will be more than one.

(3) The dates when the Special Event shall be conducted;

(4) A copy of the applicant's current on-premises low-point beer license issued by Logan County;

(5) Each vendor shall present a certificate of liability insurance coverage, including host liquor liability, with limits for personal injury and property damage not less than the city's limits of liability under the Governmental Tort Claims Act;

(6) A statement, signed by the applicant and each vendor, certifying that if a permit is approved, the applicant agrees to abide by all applicable laws and ordinances of the city and to indemnify and hold the city harmless from any and all liability arising out of the use or condition of the premises or operation of the Special Event; and

(7) Other information as the City Manager deems appropriate.

(B) No permit shall be issued for a Special Event unless application for the same is submitted to the Office of the City Manager at least three working days in advance of the community-wide activity. Applications for Special Events will be considered in the order received.

Sec. 2-103. Special Events Permits: Conditions for Approval.

(A) Special Event Permits shall not exceed the period of the celebration, event or festival for which it is part.

(B) Only those persons holding a current valid license for on-premises consumption of low-point beer from Logan County, pursuant to this chapter and other applicable state or county licenses, shall be eligible to sell or distribute non-intoxicating or intoxicating beverages.

(C) The designated area for intoxicating beverages shall be restricted to areas clearly-marked with a nonmetallic fence or barricade not less than three feet in height and made of sufficient material to prevent litter generated within the Special Event from blowing outside the area. The fence or barrier shall comply with all city ordinances regarding sight clearance at intersections. Ingress and egress to the designated area shall be from public property. Non-intoxicating beverages shall be limited to serving capacity of one person for each ten square feet of designated area.

Sec. 2-104. Special Event Fees.

(A) For each Special Event a fee designated in the Schedule of Fees as compensation for the exclusive use of public property, plus a refundable cleaning deposit will be required. A permit shall be issued only for the designated area shown in the original application.

(B) Permits shall not be transferable to other persons or other designated areas. Except for the cleaning deposit required herein, neither refunds nor credits, in full or pro rata, shall be made for operating a Special Event for less than three days duration for any reason, inclement weather included.

Sec. 2-105. Continuing Compliance.

It shall be unlawful for any person to operate or maintain a Special Event selling or distributing intoxicating beverages, except in continuous conformity with the following regulations:

(A) Special Event Permits may be used on the approved dates from 11:00 a.m. to 2:00 a.m. daily.

Ordinance No. 3291 (Special Events Serving Non-intoxicating or Intoxicating Beverages)

(B) All beverages shall be sold or dispensed in non-glass containers unless otherwise granted permission by the City Manager.

(C) Each Special Event, while in operation, shall be conducted in conformance with all applicable city, county and state laws regulating the dispensing and on premises consumption of low-point beer, and all other applicable laws and ordinances.

(D) The permit issued pursuant to this article shall be kept on the premises of the Special Event during all hours of operation and shall be made available for inspection upon request of law enforcement authorities of the city.

Sec. 2-106. Penalty.

(A) Any person who violates any provision of Article 3 or who allows or attempts to allow a Special Event Permit to be used by another person to operate a Special Event, or who applies for a Permit with the intent to transfer or attempt to transfer the Permit, shall be guilty of an offense, and upon conviction thereof, shall be fined up to \$200, plus costs. Each day of violation shall constitute a separate offense.

(B) Any person convicted of violating any provision of Article 3 or any provision of this chapter shall not be eligible to receive a Special Event Permit for a period of one year following the conviction.

SECTION 2: All other provisions of Chapter 2 of the Guthrie Municipal Code not amended by this Ordinance shall remain in full force and affect.

SECTION 3: Any Ordinance in conflict with this Ordinance is repealed.

SECTION 4: For the preservation of the public peace, health, and safety of the citizens of the City of Guthrie, an emergency is hereby declared to exist, whereupon this Ordinance shall be in full force and effect upon its passage and approval.